

Agenda



Tempe City Council

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Harry E. Mitchell Government Center

Municipal Building

Council Chambers

31 East Fifth Street

7:30 P.M.

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May 6, 2004

1. **INVOCATION – Councilmember Arredondo**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTES – Councilmember Mitchell**
 - A. Approval of Council Meeting Minutes
 1. Council's Cultural & Community Programs Committee – April 21, 2004
[20040506ccp01.pdf](#)
 2. Council's Finance & Diversity Issues Committee – April 27, 2004
[20040506fdi01.pdf](#)
 3. Council's Neighborhood Enhancement & People Improvement Program Committee – April 19, 2004 [20040506nepip01.pdf](#)
 - B. Acceptance of Board & Commission Meeting Minutes
 4. Board of Adjustment – March 24, 2004 [20040506boa01.pdf](#)
 5. Enhanced Services Commission – February 19, 2004 [20040506esc01.pdf](#)
 6. Historical Museum Advisory Board – February 5 & March 4, 2004
[20040506csjc01.pdf](#) [20040506csjc02.pdf](#)
 7. Human Relations Commission – March 23, 2004 [20040506hrc01.pdf](#)
 8. Library Advisory Board – March 1, 2004 [20040506lab01.pdf](#)
 9. Mayor's Youth Advisory Commission – April 6, 2004 [20040506myac01.pdf](#)
 10. Rio Salado Advisory Commission – March 23, 2004 [20040506rsac01.pdf](#)
4. **REPORTS AND ANNOUNCEMENTS**
 - A. Mayor's Announcements
 - Presentation to Mayor Giuliano from Scottsdale Mayor Mary Manross
 - Grad Night Check Presentation
 - Law Day Presentations

B. Manager's Announcements

5. **CONSENT AGENDA**

All items listed on the Consent Agenda will be considered as a group and will be enacted with one motion by the City Council. None of these items will be discussed unless a Councilmember removes an item or a citizen requests that a public hearing item be removed for separate consideration. Public hearing items are designated by an asterisk (*). Items scheduled for a Introduction/First Public Hearing will be heard, but will not be voted upon, at this meeting.

'q-j' indicates items that are quasi-judicial. The City Council sits as a quasi-judicial body when hearing variances. When sitting as a quasi-judicial body, the City Council must conduct itself as a court, not as a legislative body. This means that any materials or conversations concerning the variance can only be presented to the City Council at the scheduled public hearing. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited.

A. Miscellaneous

11. Request to set Executive Session for the City Council meeting of June 3, 2004, if needed, in the Harry E. Mitchell Government Center, Municipal Building, 3rd Floor Conference Room, 31 E. 5th Street.

COMMENTS: Agenda for Executive Session will be posted at least 24 hours prior to such meeting.

12. Request approval of the Report of Claims Paid to be Filed for Audit for the week of April 18, 2004.

COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

13. Request a \$160,000 increase in the amount of the construction contract with Archon, Inc., for the 13th Street Bicycle and Pedestrian Improvements Project.

COMMENTS: Increase is from \$846,646 to \$1,006,646.

DOCUMENT NAME: [20040506PWMG01.pdf](#) **STREET UPGRADING-MAINT CONSTRUCTION (0809-05) PROJECT NO. 2001-6000401**

14. Request that previously approved contracts for trade services be corrected to establish the maximum expenditure over the 3-year term at \$7,500,000 based on an estimated annual expenditure of \$2,500,000.

COMMENTS: Contracts for trade services with Building Technologies, CASM, Inc., Commonwealth Electric Co., Contractors West, Fluoresco Lighting & Signs, GTI Contractors, Inc., Hernandez Companies, M.A.G. Construction, Piper Power Plumbing Mech., Rio Rico Builders, Inc., S.A.L. Electric, SDB, Skyline Builders and Restoration, and Star Roofing were approved in 2003 for \$2,500,000 over the entire 3-year contract period, rather than annually.

DOCUMENT NAME: [20040506fslq01.pdf](#) **PURCHASES (1004-01)**

15. Request approval to use State of Arizona contract AD020051-001 with G & K Services for uniform rental and laundry services.

COMMENTS: Total cost for this contract shall not exceed \$48,000 during the initial contract period.

DOCUMENT NAME: [20040506fsts02.pdf](#) **PURCHASES (1004-01)**

- *15a. This is a public hearing for the approval of a Series 9 Liquor Store License for University Quick Mart Inc., dba University Quick Mart, 1835 E. University Drive, #1.

COMMENTS: Jamal Lashin, Agent.

DOCUMENT NAME: [20040506LIQ6.pdf](#) **LIQ LIC (0210-02)**

- *16. This is a public hearing for the approval of a Series 10 Beer and Wine Store Liquor License for Speedsmart 108, Inc., dba Speedsmart Chevron, 1808 E. Broadway Road.

COMMENTS: Randy Nations, Agent

DOCUMENT NAME: [20040506LIQ1.pdf](#) **LIQ LIC (0210-02)**

- *17. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Starzyk and Dziarmaga Partnership, dba Mr. D's, 37 W. Baseline Road.

COMMENTS: Jadwiga Starzyk, Agent

DOCUMENT NAME: [20040506LIQ2.pdf](#) **LIQ LIC (0210-02)**

- *18. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Dos Palmas, 1805 E. Elliot Rd., #104-105.

COMMENTS: Manuel Gutierrez, Agent

DOCUMENT NAME: [20040506LIQ3.pdf](#) **LIQ LIC (0210-02)**

- *19. This is a public hearing for the approval of a Series 12 Restaurant Liquor License for Casanova, 1807 E. Baseline Rd., #101.

COMMENTS: Manuel Hernandez, Agent

DOCUMENT NAME: [20040506LIQ4.pdf](#) **LIQ LIC (0210-02)**

- *20. This is a public hearing for the approval of a Series 10 Beer and Wine Store Liquor License for Tempe Beer and Deli, 2044 E. Southern Avenue.

COMMENTS: Silvai Raies, Agent

DOCUMENT NAME: [20040506LIQ5.pdf](#) **LIQ LIC (0210-02)**

21. Request approval of an Amended Final Subdivision Plat for Kaiser Tile located at 615 West Elliot Road.

COMMENTS: (Chamberlain Development, property owner) #SBD-2004.34 for an Amended Final Subdivision Plat consisting of two (2) lots on 7.155 net acres.

DOCUMENT NAME: [20040506dssl07.pdf](#) **PLANNED DEVELOPMENT (0406)**

22. Request approval of an Amended Horizontal Regime (Condominium Map) for Pointe Office Suites Condos located at 2221 West Baseline Road.

COMMENTS: (Shea Commercial, property owner) #SHR-2004.26 for an Amended Horizontal Regime (Condominium Map) consisting of 11 office units on 3.02 net acres.

DOCUMENT NAME: [20040506dsd2k01.pdf](#) **PLANNED DEVELOPMENT (0406)**

23. Request approval of a Preliminary and Final Subdivision Plat for Ritter Development Center located at 625 S. Perry Lane.

COMMENTS: (Ritter Development, property owner) #SBD-2004.33 for a Preliminary and Final Subdivision Plat consisting of one (1) lot on 4.7058 net acres.

DOCUMENT NAME: [20040506dssl06.pdf](#) **PLANNED DEVELOPMENT (0406)**

B. Award of Bids

24. Request to award a one-year contract with renewal options to W. W. Williams for transmission repair services.

COMMENTS: Total cost for this contract shall not exceed \$52,000 during the initial contract period.

DOCUMENT NAME: [20040506fsdl03.pdf](#) **PURCHASES (1004-01) RFP #04-081**

25. Request to award a one-year limited source contract to Williams & Associates for lobbyist services.

COMMENTS: Total cost for this contract shall not exceed \$102,000.

DOCUMENT NAME: [20040506fsdl04.pdf](#) **PURCHASES (1004-01) Limited Source 04-120**

26. Request to award a one-year limited source contract to Simplex Grinnell for the repair of Simplex alarm panels.

COMMENTS: Total cost of this contract shall not exceed \$75,000.

DOCUMENT NAME: [20040506fslq05.pdf](#) **PURCHASES (1004-01) #04-124**

27. Request to award a three-year contract with renewal options to MetLife and CIGNA for a dental plan for City employees.

COMMENTS: Total cost for this contract, based on enrollment as of March 2004, shall not exceed \$3,160,000 during the initial contract period.

DOCUMENT NAME: [20040506fsdl06.pdf](#) **PURCHASES (1004-01) RFP 04-089**

28. Request to award a professional services contract with 3D/I for project management

services for the design phase of the Apache Boulevard Police Substation and Property/Evidence Facility.

COMMENTS: Total cost of this contract shall not exceed \$228,110.

DOCUMENT NAME: [20040506PWTG03.pdf](#) **CITY FACILITIES (1001)**
PROJECT NO. 5500961

29. Request to award a professional services contract with Arrington Watkins Architects for design services of the Apache Boulevard Police Substation and Property/Evidence Facility.

COMMENTS: Total cost of this contract shall not exceed \$1,128,233.

DOCUMENT NAME: [20040506PWTG04.pdf](#) **CITY FACILITIES (1001)**
PROJECT NO. 5500961

30. Request to award a limited source contract to GFI Genfare for eight electronic fareboxes for the new Express buses.

COMMENTS: Total cost for this contract shall not exceed \$52,000.

DOCUMENT NAME: [20040506fslq07.pdf](#) **PURCHASES (1004-01) #04-126**

- C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *31. This is the **introduction and first public hearing** authorizing the Mayor to enter into the First Amendment to Agreement-Lease between the City and B&B Holdings, dba Arizona Cardinals. **The second public hearing will be June 3, 2004.**

DOCUMENT NAME: [20040506cacc02.pdf](#) **ARIZONA CARDINALS (0105-01-06)**
ORDINANCE NO. 2004.20

- q-j *32. This is the **introduction and first public hearing** for a Preliminary and Final Planned Area Development (PAD) with variances for Student Housing Project, a mixed use development located at 1010 South Terrace Road. **The second public hearing will be June 3, 2004.**

COMMENTS: (Larry Henley, property owner) #SPD-2004.29 for a Preliminary and Final Planned Area Development (PAD) consisting of 497,418 s.f., (190 residential units, 11,512 s.f. retail) on 2.68 net acres, including the following:

Variances:

1. Increase the maximum allowed floor area ratio (FAR) from 3.0 to 4.2.
2. Reduce the minimum required street side yard (Terrace Road) and front yard (Lemon Street) building setback from 25 to 0 feet.
3. Waive the required 6 feet landscape buffer for the first 236 feet beginning at the southwest corner along the west side property line and for the first 140 feet beginning at the northwest corner along the west side property line.
4. Increase the maximum allowed parapet height from 5 to 7 feet.
5. Reduce the required RV parking from 19 to 0 spaces.

DOCUMENT NAME: [20040506dsd2k04.pdf](#) **PLANNED DEVELOPMENT (0406)**

- q-j *33. This is the **introduction and first public hearing** for an Amended General Plan of Development for Dani Dental, and a Final Plan of Development for D&A Real Estate Holding Office Building, located at Dorsey Crossing, 1243 East Broadway Road. **The second public hearing will be June 3, 2004.**

COMMENTS: (D&A Real Estate Holdings, LLC, property owner) **#SGF-2004.27** for an Amended General Plan of Development for Dorsey Crossing Phase 3A, consisting of 140,292 s.f. on 15.14 net acres, and a Final Plan of Development for D & A Real-Estate Holding Office Building consisting of a two story 16,292 s.f. office building for a medical laboratory on 1.05 net acres, located at 1243 East Broadway Road, including the following:

Use Permit:

Use permit for a laboratory in the PCC-2 zoning district.

Variances:

1. Reduce the required 8 feet masonry wall along the south property line to 7 feet.
2. Reduce the required side yard setback on the south property line from 60 to 49 feet.
3. Reduce the required side yard setback on the north property line from 60 to 49 feet.
4. Reduce the required rear yard setback on the east property line from 60 to 49 feet.

DOCUMENT NAME: [20040506dsrl03.pdf](#) **PLANNED DEVELOPMENT (0406)**

- q-j *34. This is the **introduction and first public hearing** for an Amended General Plan of Development for QuikTrip/McPeter's Storage, and a Final Plan of Development for McPeter's Storage located at 3803 S. Priest Drive. **The second public hearing will be June 3, 2004.**

COMMENTS: (William McPeters, property owner) **#SGF-2004.30** for an Amended General Plan of Development for QuikTrip/McPeters Storage consisting of 52,852 s.f. on 2.79 net acres, and a Final Plan of Development for McPeters Storage, consisting of 47,433 s.f. on .84 net acres, including the following:

Variances:

1. Reduce the minimum required building setback for a building taller than fifteen (15) feet adjacent to a residential zoning district along the north property line from twenty-seven (27) to twenty-two (22) feet (Phase II).
2. Eliminate the requirement for Art-In-Private-Development for a development that exceeds 50,000 gross square feet.

DOCUMENT NAME: [20040506dsrl05.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *35. This is the **introduction and first public hearing** for a zoning change, Preliminary and Final Planned Area Development and a Final Subdivision Plat for Newberry Terrace located at 1203 East Spence Avenue. **The second public hearing will be June 3, 2004.**

COMMENTS: (Barton Homes, LLC, Patrick Barker, property owner), located at 1203 East Spence Avenue, including the following:

#ZON-2004.03 Ordinance No. 808.2004.03 for a zoning change from R-4, Multi-Family

Residential General to R1-PAD One Family Residential on 6.3 gross acres.
#SPD -2004.14 for a Preliminary and Final Planned Area Development (PAD) consisting of 45 homes (attached and detached single family homes: Lofts, Unit B 1,341 s.f., Unit D 1,670 s.f., Loft Unit E, 1,299 s.f., and Loft Unit F 1,325 s.f.) on 5.29 net acres. #SBD-2004.15 for a Final Subdivision Plat consisting of 45 lots and 7 tracts on 5.29 net acres.
DOCUMENT NAME: [20040506dsd2k02.pdf](#) PLANNED DEVELOPMENT (0406)

D. Ordinances and Items for Second Hearing/Final Adoption

- *36. This is the **second** public hearing to obtain citizen views and proposals on CDBG and Home Program Funding, FY2004/2005; and a request for approval of a resolution authorizing the approval and submission of the Action Plan for Fiscal Year 2004-2005.

DOCUMENT NAME: [20040506dslc01.pdf](#) COMMUNITY DEVELOPMENT
REDEVELOPMENT ADMIN (0403-01) RESOLUTION NO. 2004.36

E. Resolutions

37. Request approval of a resolution authorizing the acquisition of property for installation of a water line at Curry Road and Miller Road.

DOCUMENT NAME: [20040506cacc01.pdf](#) REAL PROPERTY ACQUISITION
(0902-21-02) RESOLUTION NO. 2004.31

38. Request approval of a resolution authorizing the acquisition of property located at 1443, 1444, 1445 and 1446 South Rita Lane within the Apache Boulevard Redevelopment Project Area.

DOCUMENT NAME: [20040506dsls.pdf](#) REAL PROPERTY ACQUISITION
(0902-21-02) RESOLUTION 2004.32

39. Request approval of a resolution authorizing the acquisition and/or condemnation of property and related public utility easements for the construction of Newberry Lane located at 1417 and 1423 S. Terrace Road.

DOCUMENT NAME: [20040506PWDR02.pdf](#) REAL PROPERTY ACQUISITION
(0904-02) RESOLUTION NO. 2004.34

40. Request approval of a resolution approving the tentative budget, setting a public hearing and special meeting for June 3, 2004 to adopt the final budget, and setting the property tax rate adoption for June 10, 2004.

DOCUMENT NAME: [20040506fsae01.pdf](#) BUDGET (0205-11-01) RESOLUTION NO. 2004.33

41. Request approval of a resolution for the issuance and sale of \$19,900,000 of City of Tempe General Obligation Bonds, Series 2004; for the annual levy of a tax for the payment of the bonds; for certain terms, covenants and conditions regarding the

issuance of the bonds; accepting a proposal for the purchase of the bonds; and appointing a registrar, transfer agent and paying agent for the bonds.

DOCUMENT NAME: [20040506fsjh01.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2004.35**

42. Request approval of a resolution authorizing necessary agreements, and approving an official statement and the execution and delivery of Performing Arts Center Excise Tax Revenue Obligations (not to exceed \$45 million), Series 2004.

COMMENTS: Includes a purchase agreement, a trust agreement, a continuing disclosure agreement, a depository trust agreement and an obligation purchase agreement. Resolution also evidences a proportionate interest of the owners thereof in the purchase agreement, and the sale to the purchaser thereof; authorizes the refunding of certain prior obligations; and authorizes the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution.

DOCUMENT NAME: [20040506fsjh02.pdf](#) **BOND SERVICE ADMINISTRATION (0203-01) RESOLUTION NO. 2004.38.**

43. Request approval of a resolution approving the City of Tempe Marketplace Development Parcel Agreement No. 1.

DOCUMENT NAME: [20040506dsnc01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03) RESOLUTION NO. 2004.37**

6. **NON-CONSENT AGENDA**

7. **CURRENT EVENTS/COUNCIL ANNOUNCEMENTS**

8. **PUBLIC APPEARANCES**

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on the City Council agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on the agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes will not be allowed during formal meetings.

Members of the public attending City Council meetings shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

SCHEDULED PUBLIC APPEARANCES:

- Jason Ryan, 2652 E. Oak Leaf, Tempe, re: allowing bicycles in new Skate Park
- William Cowling, 2108 E. Mallard Court, Gilbert, re: allowing bicycles in new Skate Park
- Raymond Putnam, 6820 S. Mitchell, Tempe, re: allowing bicycles in new Skate Park
- Pat Blackburn, 146 S. Hazelton, Chandler, re: allowing bicycles in new Skate Park

